

# MARSHALL CONWAY & BRADLEY

A PROFESSIONAL CORPORATION

45 BROADWAY – SUITE 740

NEW YORK, NEW YORK 10006

TELEPHONE: (212) 619-4444

TELECOPIER: (212) 962-2647

email: [mcw@mcwpc.com](mailto:mcw@mcwpc.com)

JEFFREY A. MARSHALL  
ROBERT J. CONWAY  
CHRISTOPHER T. BRADLEY  
NORMAN J. GOLUB\*  
MICHAEL S. GOLLUB<sup>Δ</sup>  
AMY S. WEISSMAN\*  
GUY P. DAUERTY

DANIEL A. ALTER  
WILLIAM J. EDWINS  
ANNA E. GABBAY  
ADAM J. GOLUB\*  
THOMAS J. NEMIA<sup>Δ\*\*</sup>  
RAMY ODEH

DAVID A. RICHMAN<sup>^</sup>  
ALLISON J. SEIDMAN<sup>Δ</sup>  
STACEY H. SNYDER\*  
ANDREW S. TAYLOR  
LAUREN TURKEL  
STEVEN M. ZIOLKOWSKI\*

NEW JERSEY OFFICE  
2500 Plaza 5  
Harborside Financial Center  
Jersey City, N.J. 07311  
Telecopier: (201) 521-3180

<sup>Δ</sup> ADMITTED IN CT.  
<sup>^</sup> ADMITTED IN WASHINGTON, D.C.  
<sup>+</sup> ADMITTED IN VA.  
<sup>\*</sup> ADMITTED IN N.J.

January 21, 2015

## Via ECF and Electronic Mail

The Honorable Andrew L. Carter  
U.S. District Court Judge  
U.S. District Court for the Southern District of New York  
40 Foley Square, Room 435  
New York, New York

**Re: Philadelphia Indemnity Insurance Co. v. SC Academy Holidns, Inc., et al., 1:14-cv-07025-ALC**

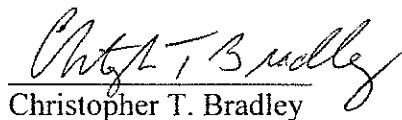
Dear Judge Carter:

The undersigned represents Plaintiff, Philadelphia Indemnity Insurance Company in the above-captioned action.

For purposes of clarification, we would like to note that under New Jersey's choice-of-law rules, specifically the "government interest analysis" referenced in Judge Millenky's January 14, 2015 letter, the decision as to whose law to apply is "...made issue by issue on the basis of which state has the greatest interest in the application of its own law to *that issue*." *Gantes v. Kason Corp.*, 145 N.J. 478, 498, 679 A.2d 106, 115 (1996) (emphasis added) (citing *Veazey v. Doremus*, 103 N.J. 244, 248, 510 A.2d 1187 (1986)).

Judge Millenky's Order relates solely to the narrow issue raised in Plaintiff Culinary Academy's Motion for Partial Summary Judgment. Judge Millenky did not rule as to whether there was an actual conflict on other important issues in this case, *i.e.* where New York public policy differs from New Jersey law, such as the insurability of restitution, punitive damages, *etc.*

Respectfully submitted,

  
Christopher T. Bradley